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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/845,934	04/30/2001	Kumar K. Vishwanathan	110014.129 (WIN-7)	3352

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HALE AND DORR, LLP  
60 STATE STREET  
BOSTON, MA 02109

EXAMINER
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TRAN, PABLO N

ART UNIT	PAPER NUMBER
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2685

DATE MAILED: 04/11/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/845,934

Applicant(s)

VISHWANATHAN ET AL.

Examiner

Pablo N Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Specification***

1. The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code. Applicant is required to delete (page 5, line 11) the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-12, 14-16, and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Nordeman* (6,134,450).

As per claims 1-4, 14, 16, and 19-20, *Nordeman* disclosed a method for use in establishing a group call wherein retrieving information from a list of members belong to a group and based on the information establishing a group call/multicast session carrying voice data between the first and second mobile station (fig. 1, col. 3/ln. 47-col. 4/ln. 52).

*Nordeman* does not explicitly disclose the first and second MS is served by different BSCs/MSCs or the same BSC/MS. However, it would have been obvious to one of ordinary skill in the art that a particular MS's communication link would be served, dependent upon MS's location, by the appropriated BSC/MS within that particular area/cell to provide appropriate routing of communications.

As per claims 5-7, *Nordeman* disclosed a proxy switch to direct/facilitate voice data call for the group call between the BSC and MSC (fig. 1/no. 104, 106, col. 2/ln. 20-59).

As per claims 8-9 and 12, *Nordeman* disclosed the group call is half duplex (col. 2/ln. 26-32).

*Nordeman* does not explicitly disclose speaking control within members of the group in a group call. However, it would have been obvious to one of ordinary skill in the art that in a half duplex communication mode only one member holds the speaking control while the other members listen and wherein the another member can request speaking control by holding down the PTT button to appropriate provided speaking control among members within a group (also, see applicant's background, pg. 5/ln. 9-pg. 6/ln. 2).

As per claim 10, *Nordeman* disclosed transmitting textual data to the MS (col. 3/ln. 22-25, col. 3/ln. 65-67).

As per claim 11, *Nordeman* does not specifically disclosed which members in the list are not participating in the group call. However, such determination of which members participated/not-participated is notoriously well known in the art that the

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examiner takes Official Notice of such. Therefore, it would have been obvious to one of ordinary skill in the art to provide such determination, well known, to the method of providing group call in a communication system of *Nordeman* in order to provide a status of the members of the list.

As per claim 15, *Nordeman* disclosed a TDMA and CDMA radio signaling standards (col. 2/ln. 39-46).

4. Claims 13 and 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Nordeman* (6,134,450) in view of *Dorenbosch et al.* (6,314,301).

As per claims 13 and 17-18, *Nordeman* does not disclosed that base on a history of group calls predicting future demand and topology for the group calls. *Dorenbosch et al.* disclosed that such future communication resources (demand and topology) for the group calls are base on a history of group calls (col. 3/ln. 66-col. 5/ln. 63). Therefore, it would have been obvious to one of ordinary skill in the art to provide such future communication resources (demand and topology) for the group calls are base on a history of group calls, as taught in *Dorenbosch et al.*, to the method of providing group call in a communication system of *Nordeman* to maximizing the efficiency of group call in the communication system.

***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Burg et al. (6,427,075), Hall et al. (6,032,051), Sandegren (6,512,930), Jackson et al. (6,477,387), Peterson et al. (5,613,209), Schmidt et al. (6,442,396), Alperovich et al. (6,240,069), Suzuki et al. (6,346,873), Schmidt et al. (6,484,037), Schmidt et al. (6,516,200), Grube et al. (6,104,925), Dailey (6,449,491), Singh (6,405,035), Schmidt et al. (6,363,258), Chang et al. (2002/0102967), Roach (2002/0037723), Raith (6,385,461), Rune (6,434,396), Akhteruzzaman et al. (6,449,483), Muhonen et al. (6,501,957), Pan et al. (6,308,079), Derango et al. (6,157,843), Lee et al. (6,161,008), Amirijoo et al. (6,405,050), and Cannon et al. (5,850,594) disclose group calls in a radiotelephone communication system.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pablo Tran whose telephone number is (703)308-7941. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban, can be reached at (703)305-4385.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

**(703) 872-9314 (for Technology Center 2600 only)**


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Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

PABLO N. TRAN  
PATENT EXAMINER

April 5, 2003



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